

AO 120 (Rev. 2/99)

<b>TO: Mail Stop 8</b> <b>Director of the U.S. Patent &amp; Trademark Office</b> <b>P.O. Box 1450</b> <b>Alexandria, VA 22313-1450</b>	<b>REPORT ON THE</b> <b>FILING OR DETERMINATION OF AN</b> <b>ACTION REGARDING A PATENT OR</b> <b>TRADEMARK</b>
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In Compliance with 35 § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been  
 filed in the U.S. District Court Northern District of California on the following ☒ Patents or ☐ Trademarks:

DOCKET NO. <b>C-11-4479-EDL</b>	DATE FILED September 8, 2011	U.S. DISTRICT COURT Office of the Clerk, 450 Golden Gate Ave., 16 <sup>th</sup> Floor, San Francisco, CA 94102
PLAINTIFF <b>ARRIVALSTAR S.A. &amp; MELVINO TECHNOLOGIES LIMITED</b>		DEFENDANT <b>BLUE SKY NETWORK, LLC, JET AIRWAYS OF INDIA, INC., GTX CORP. &amp; INTHINC TECHNOLOGY SOLUTIONS, INC.</b>
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 <b>6,278,936</b>		
2 <b>6,317,060</b>		<b>"PLS. SEE ATTACHED COPY OF COMPLAINT"</b>
3 <b>6,714,859</b>		
4 <b>6,741,927</b>		
5 <b>6,804,606</b>		

In the above—entitled case, the following patent(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading		
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
1 <b>6,904,359</b>	<b>B2</b>		
2 <b>6,904,359</b>	<b>C1</b>		
3 <b>6,952,645</b>	<b>B1</b>		
4 <b>7,191,058</b>	<b>B2</b>		
5			

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT
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CLERK Richard W. Wieking	(BY) DEPUTY CLERK Thelma Nudo	DATE September 8, 2011
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Copy 1—Upon initiation of action, mail this copy to Commissioner    Copy 3—Upon termination of action, mail this copy to Commissioner  
 Copy 2—Upon filing document adding patent(s), mail this copy to Commissioner    Copy 4—Case file copy

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**JURY DEMAND**

ArrivalStar demands a trial by jury on all issues presented in this Complaint.

Dated: September 8, 2011

KRIEG, KELLER, SLOAN, REILLEY & ROMAN LLP

By:   
Kenneth E. Keller  
Attorneys for Plaintiffs ArrivalStar, S.A. and  
MelvinoTechnologies, Inc.

KENNETH E. KELLER (SBN 71450) [kkeller@kksrr.com](mailto:kkeller@kksrr.com)  
MICHAEL D. LISI (SBN 196974) [mlisi@kksrr.com](mailto:mlisi@kksrr.com)  
KRIEG, KELLER, SLOAN, REILLEY & ROMAN LLP  
555 Montgomery Street, 17<sup>th</sup> Floor  
San Francisco, CA 94111  
Telephone: (415) 249-8330  
Facsimile: (415) 249-8333

ANTHONY E. DOWELL (*Pro Hac Vice forthcoming*) [ADowell@dowellbaker.com](mailto:ADowell@dowellbaker.com)  
GEOFFREY D. SMITH (*Pro Hac Vice forthcoming*) [GSmith@dowellbaker.com](mailto:GSmith@dowellbaker.com)  
DOWELL BAKER  
201 Main Street, Suite 710  
Lafayette, IN 47901  
Telephone: (765) 429-4004  
Facsimile: (765) 429-4114

Attorneys for Plaintiffs  
ARRIVALSTAR S.A., and MELVINO TECHNOLOGIES LIMITED

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ARRIVALSTAR S.A. and MELVINO  
TECHNOLOGIES LIMITED,

Plaintiffs,

v.

BLUE SKY NETWORK, LLC, a Delaware  
Limited Liability Company; JET AIRWAYS  
OF INDIA, INC., a California Corporation;  
GTX CORP, a Nevada Corporation; INTHINC  
TECHNOLOGY SOLUTIONS, INC., a  
Delaware corporation,

Defendants.

Case No:

**CV 11 4479**

COMPLAINT FOR PATENT  
INFRINGEMENT

DEMAND FOR JURY TRIAL

Patent

6,278,936

6,317,060

6,714,859

6,741,927

6,804,606

6,904,359 B2

6,904,359 C1

6,952,645 B1

7,191,058 B2

ORIGINAL  
FILED  
SEP - 8 2011  
RICHARD W. WIERING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

E-filing

EDL

1 Plaintiffs ArrivalStar S.A. and Melvino Technologies Limited (collectively, "ArrivalStar"  
2 or "Plaintiffs"), by and through their undersigned attorneys, for their complaint against  
3 defendants Blue Sky Network, LLC ("Blue Sky"), Jet Airways of India, Inc. ("Jet Airways"),  
4 GTX Corp ("GTX Corp."), and Inthinc Technology Solutions, Inc. ("Inthinc"), (Blue Sky, Jet  
5 Airways, GTX Corp., Inthinc, inclusive are collectively referred to herein as "Defendants")  
6 hereby allege as follows:  
7

### 8 **NATURE OF LAWSUIT**

9 1. This action involves claims for patent infringement arising under the patent laws  
10 of the United States, Title 35 of the United States Code. This Court has exclusive jurisdiction  
11 over the subject matter of the Complaint under 28 U.S.C. § 1338(a).  
12

13 2. Venue exists in this judicial district pursuant to 28 U.S.C. §§ 1391 and 1400(b) in  
14 that the Defendants reside in this judicial district and/or have committed acts of infringement  
15 herein.  
16

### 17 **THE PARTIES**

18 3. ArrivalStar S.A. is a corporation organized under the laws of Luxembourg and  
19 having offices at 67 Rue Michel, Welter L-2730, Luxembourg.  
20

21 4. Melvino Technologies Limited is a corporation organized under the laws of the  
22 British Virgin Island of Tortola, having offices at P.O. Box 3152, RG Hodge Building, Road  
23 Town, Tortola, British Virgin Islands.

24 5. ArrivalStar owns all right, title and interest in, and has standing to sue for  
25 infringement of United States Patent No. 6,278,936 ("the '936 patent"), entitled "System and  
26 method for an advance notification system for monitoring and reporting proximity of a vehicle,"  
27 issued August 21, 2001. A copy of the '936 patent is annexed hereto as Exhibit A.  
28

1           6.       ArrivalStar owns all right, title and interest in, and has standing to sue for  
2 infringement of United States Patent No. 6,317,060 (“the ‘060 patent”), entitled “Base station  
3 system and method for monitoring travel of mobile vehicles and communicating notification  
4 messages,” issued November 13, 2001. A copy of the ‘060 patent is annexed hereto as Exhibit  
5 B.

6  
7           7.       ArrivalStar owns all right, title and interest in, and has standing to sue for  
8 infringement of United States Patent No. 6,714,859 (“the ‘859 patent”), entitled “System and  
9 method for an advance notification system for monitoring and reporting proximity of a vehicle,”  
10 issued March 30, 2004. A copy of the ‘859 patent is annexed hereto as Exhibit C.

11  
12           8.       ArrivalStar owns all right, title and interest in, and has standing to sue for  
13 infringement of United States Patent No. 6,741,927 (“the ‘927 patent”), entitled “User-definable  
14 communications methods and systems,” issued May 25, 2004. A copy of the ‘927 patent is  
15 annexed hereto as Exhibit D.

16  
17           9.       ArrivalStar owns all right, title and interest in, and has standing to sue for  
18 infringement of United States Patent No. 6,804,606 (“the ‘606 patent”), entitled “Notification  
19 systems and methods with user-definable notifications based upon vehicle proximities,” issued  
20 October 12, 2004. A copy of the ‘606 patent is annexed hereto as Exhibit E.

21           10.       ArrivalStar owns all right, title and interest in, and has standing to sue for  
22 infringement of United States Patent No. 6,904,359 (“the ‘359 patent”), entitled “Notification  
23 systems and methods with user-definable notifications based upon occurrence of events,” issued  
24 June 7, 2005. A copy of the ‘359 patent is annexed hereto as Exhibit F. The ‘359 patent was the  
25 subject of an *Inter Partes* reexamination at the United States Patent and Trademark Office. A  
26 Reexamination Certificate was issued on May 25, 2010 and is annexed hereto as Exhibit G.  
27  
28

1           11.     ArrivalStar owns all right, title and interest in, and has standing to sue for  
2 infringement of United States Patent No. 6,952,645 (“the ‘645 patent”), entitled “System and  
3 method for activation of an advance notification system for monitoring and reporting status of  
4 vehicle travel,” issued October 4, 2005. A copy of the ‘645 patent is annexed hereto as Exhibit  
5 H.  
6

7           12.     ArrivalStar owns all right, title and interest in, and has standing to sue for  
8 infringement of United States Patent No. 7,191,058 (“the ‘058 patent”), entitled “Notification  
9 systems and methods enabling user entry of notification trigger information based upon  
10 monitored mobile vehicle location,” issued March 13, 2007. A copy of the ‘058 patent is  
11 annexed hereto as Exhibit I.  
12

13           13.     Defendant Blue Sky is a Delaware Limited Liability Company with a place of  
14 business at 1298 Prospect Street, Suite 1D, La Jolla, California 92037. Blue Sky transacts  
15 business and has offered to provide and/or provided in this judicial district services that infringe  
16 claims of the ‘859 and ‘359 patents.  
17

18           14.     Defendant Jet Airways is a California Corporation with a place of business at 111  
19 Anza Boulevard, Suite 300, Burlingame, California 94010. Jet Airways transacts business and  
20 has offered to provide and/or provided in this judicial district services that infringe claims of the  
21 ‘060, ‘859 and ‘359 patents.  
22

23           15.     Defendant GTX Corp. is a Nevada Corporation with a place of business at 117  
24 West 9th Street, Suite 1214, Los Angeles, California 90015. GTX Corp. transacts business and  
25 has offered to provide and/or provided in this judicial district services that infringe claims of the  
26 ‘936, ‘859, ‘927, ‘606, ‘359 and ‘058 patents.  
27  
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1           16. Defendant Inthinc is a Delaware Corporation with a place of business at 4225  
2 West Lake Park Boulevard., Suite 100, Salt Lake City, Utah 84120. Inthinc transacts business  
3 and has offered to provide and/or provided in this judicial district services that infringe claims of  
4 the '859, '927, '359, '645 and '058 patents.

5           17. Venue is proper in this District under 28 U.S.C. §§ 1391 and 1400(b).  
6

7           **DEFENDANT BLUE SKY'S ACTS OF PATENT INFRINGEMENT**

8           18. Defendant Blue Sky have infringed claims of the '859 and '359 patents through,  
9 among other activities, the use of Blue Sky's SkyRouter 2 vehicle tracking system.

10           19. Blue Sky's SkyRouter 2 vehicle tracking system allows users to define events that  
11 will cause the creation and communication of an alert notification.  
12

13           20. Blue Sky's SkyRouter 2 vehicle tracking system allows a user to specify a radial  
14 distance from a location and receive an email alert when a vehicle arrives within the radial  
15 distance from the location.

16           21. Blue Sky's SkyRouter 2 vehicle tracking system receives Latitude and Longitude  
17 data transmitted from vehicles.  
18

19           22. Blue Sky's SkyRouter 2 vehicle tracking system receives and stores data  
20 transmitted from vehicles

21           23. Defendant's infringement has injured and will continue to injure ArrivalStar  
22 unless and until this Court enters an injunction prohibiting further infringement and, specifically,  
23 enjoining further use of methods and systems that come within the scope of the '859 and '359  
24 patents.  
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26 ///

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1                                   **DEFENDANT JET AIRWAYS' ACTS OF PATENT INFRINGEMENT**

2           24.     Defendant Jet Airways have infringed claims of the '060, '859 and '359 patents  
3 through, among other activities, the use of Jet Airways' Flight Status Notification system.

4           25.     Jet Airways' Flight Status Notification system is configured to notify users of  
5 impending arrivals of airplanes.

6           26.     Jet Airways' Flight Status Notification system is configurable to transmit an alert  
7 when flight 9W228 from Mumbai, India arrives at Brussels, Belgium en route to Newark, New  
8 Jersey.

9           27.     Jet Airways' Flight Status Notification system is configured to transmit alerts via  
10 email and SMS text message.

11           28.     On August 31, 2011, Jet Airways' Flight Status Notification system included  
12 computer servers with the Internet Protocol (IP) addresses of 96.17.76.9 and 96.17.76.42 that  
13 were located in Cambridge, Massachusetts.

14           29.     Defendant's infringement has injured and will continue to injure ArrivalStar  
15 unless and until this Court enters an injunction prohibiting further infringement and, specifically,  
16 enjoining further use of methods and systems that come within the scope of the '060, '859 and  
17 '359 patents.  
18

19                                   **DEFENDANT GTX CORP.'S ACTS OF PATENT INFRINGEMENT**

20           30.     Defendant GTX Corp. have infringed claims of the '936, '859, '927, '606, '359  
21 and '058 patents through, among other activities, the use of GTX Corp.'s tracking platform.

22           31.     GTX Corp.'s tracking platform receives data from GTX AVL devices.

23           32.     GTX Corp. advertises that the GTX AVL is "a fully integrated tracking device  
24 communicating vehicle location."  
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1           33.     GTX Corp.'s tracking platform allows users to create Geozones by specifying a  
2 radius, in meters, from a location.

3           34.     GTX Corp.'s tracking platform allows users to receive alerts on their mobile  
4 phone or by e-mail when a device leaves or enters a predetermined area.

5           35.     GTX Corp.'s tracking platform transmits alerts that include graphical mapping  
6 data.  
7

8           36.     Defendant's infringement has injured and will continue to injure ArrivalStar  
9 unless and until this Court enters an injunction prohibiting further infringement and, specifically,  
10 enjoining further use of methods and systems that come within the scope of the '936, '859, '927,  
11 '606, '359 and '058 patents.  
12

13                   **DEFENDANT INTHINC'S ACTS OF PATENT INFRINGEMENT**

14           37.     Defendant Inthinc have infringed claims of the '859, '927, '359, '645 and '058  
15 patents through, among other activities, the use of Inthinc's tiwi vehicle tracking system.

16           38.     Inthinc's tiwi vehicle tracking system is configured to track and monitor vehicles  
17 driven by teenage drivers.  
18

19           39.     Ithinc's tiwi system is configurable to transmit an email or text alert when a  
20 vehicle arrives at a pre-determined destination.

21           40.     Ithinc's tiwi system is configurable to transmit an alert when a vehicle arrives at a  
22 pre-determined destination during a predetermined time period.  
23

24           41.     Ithinc's tiwi system has been configured to transmit an alert notification via SMS  
25 text message when a 2006 Ford Focus vehicle arrived within a geofence proximity of a school  
26 between 8:00 am and 8:30 am.  
27  
28

1           42.     Inthinc's tiwi system has transmitted an alert notification via SMS text message  
2 indicating that a vehicle had arrived at geofence proximity around a school at 8:17 am.

3           43.     Defendant's infringement has injured and will continue to injure ArrivalStar  
4 unless and until this Court enters an injunction prohibiting further infringement and, specifically,  
5 enjoining further use of methods and systems that come within the scope of the '859, '927, '359,  
6 '645 and '058 patents.  
7

8                                   **PRAYER FOR RELIEF**

9           WHEREFORE, Plaintiffs ask this Court to enter judgment against the Defendant, and  
10 against their subsidiaries, affiliates, agents, servants, employees and all persons in active concert  
11 or participation with them, granting the following relief:  
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13           A.     An award of damages adequate to compensate ArrivalStar for the infringement  
14 that has occurred, together with prejudgment interest from the date that Defendant's  
15 infringement of the ArrivalStar patents began;

16           B.     Increased damages as permitted under 35 U.S.C. § 284;

17           C.     A finding that this case is exceptional and an award to ArrivalStar of its attorneys'  
18 fees and costs as provided by 35 U.S.C. § 285;  
19


20           D.     A permanent injunction prohibiting further infringement, inducement and  
21 contributory infringement of the ArrivalStar patents; and  
22

23           E.     Such other and further relief as this Court or a jury may deem proper and just.

24 Dated: September 8, 2011

KRIEG, KELLER, SLOAN, REILLEY & ROMAN LLP

25  
26 By: \_\_\_\_\_  
27

  
Kenneth E. Keller

Attorneys for Plaintiffs ArrivalStar, S.A. and  
28 MelvinoTechnologies, Inc.